

REMARKS

Summary of the Rejections and Objections

Claims 1, and 5-7 are currently pending. Claims 1, 6 and 7 have been rejected under 35 U.S.C. § 102(a) as anticipated by, or in the alternative, rejected under U.S.C. §103(a) as obvious over EP 1020484. Claims 5 and 6 have been rejected under 35 U.S.C. §112, first paragraph and second paragraph.

For at least the reasons stated below, Applicants respectfully traverse the rejections, and request the entry of the amendments proposed herein in order to place the application in form for allowance, and further request the reconsideration of this application as amended in light of the remarks presented herein.

35 U.S.C. § 112 Rejections

Claims 5 and 6 have been rejected under 35 U.S.C. §112, first paragraph and second paragraph because it was “unclear how the method if purifying crude acetic anhydride relates to the treatment of an ozone-containing gas. “Of” was inadvertently introduced in claim 5 in the first amendment filed on 1/08/02. Claim 5 has herein been amended to reintroduce “with” in place of “of” and to overcome the §112 rejections. No new matter has been introduced. Support for the amendment may be found throughout the specification. The claim amendments introduced herein are not intended to narrow the scope of the subject matter claimed in the present invention, and have been made to expedite the prosecution of this application.

Applicants believe that the claim amendments have herein addressed the 35 U.S.C. §112 rejections and respectfully request that the rejections be withdrawn.

35 U.S.C. § 102 and §103 Rejections

Claims 1, 6 and 7 have been rejected under 35 U.S.C. § 102(a) as anticipated by, or in the alternative, rejected under U.S.C. §103(a) as obvious over EP 1020484.

Applicants are herein perfecting the priority date of the present application as required by 37 CFR 1.55 and MPEP 201.15, by herein submitting accurate and complete translations of the three Japanese patents the present application is claiming priority to. Each of the attached translations include a corresponding statement by Mr. Yoshikawa Toshio, a Patent attorney in Attorney Docket No.: 60586-300501
Serial No.: 09/788,047

Japan, and the principle of the firm of Yoshikawa International Patent Office, attesting that each translation is an accurate and complete translation of its corresponding Japanese patent.

I hereby state based on information and belief based on Mr. Yoshikawa's statements, that each of the submitted translations is an accurate and complete translation of the corresponding Japanese parent application, the present invention is claiming priority to (MPEP §201.15).

Certified copies of the parent Japanese patents (priority documents) were previously submitted in their original language of Japanese, on March 30, 2001.

As such, the cited reference EP 1020484 is not prior art, because the publication date of EP 1020484 is subsequent to the priority date of the present application under MPEP §201.15.

Therefore, Applicants respectfully request that the 35 U.S.C. § 102 and §103 rejections of claims 1, 6 and 7 be herein withdrawn and the claims be allowed.

CONCLUSION

Applicant's submit that all pending claims 1, and 5-7 are allowable and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (650) 320-4358. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 02-3964 (Reference 60586-300501).

Respectfully submitted,

Rambed Nader
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Date: December 02, 2002

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CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any attachments referred to as being enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in the envelope addressed to: Commissioner of Patents, Washington D.C. 20231

Dated: December 2, 2002

By:

Lori Cox

Attorney Docket No.: 60586-300501
Serial No.: 09/788,047

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please amend the claims as follows:

5. (Twice amended) A method of purifying crude acetic anhydride wherein treatment [of] with an ozone -containing gas is conducted after distilling acetic anhydride containing diketenes.